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DE RUEHIT #0664/01 2050610
ZNY CCCCC ZZH
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FM AMCONSUL ISTANBUL
TO RUEHC/SECSTATE WASHDC PRIORITY 7323
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEKJCS/DIA WASHDC PRIORITY
RUEAIIA/CIA WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 ISTANBUL 000664

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E.O. 12958: DECL: 07/23/2017

TAGS: [PHUM](#) [PGOV](#) [PREL](#) [TU](#) [GR](#)

SUBJECT: ISTANBUL GOVERNORSHIP: YARGITAY'S REJECTION OF
PATRIARCHATE ECUMENICITY IS ONLY A COMMENT

REF: A. ISTANBUL 0550

[1](#)B. ISTANBUL 0638

Classified By: Acting Principal Officer Sandra Oudkirk for reasons 1.4
(b) and (d)

[1](#)1. (C) Summary. Istanbul Deputy Governor for minority affairs Fikret Kasapoglu described the Yargitay's recent rejection of the Greek Orthodox patriarchate's ecumenicity as a commentary rather than a binding decision. He stressed GOT policy on this issue remained the same and that it was the government's duty to continue to protect minorities who, despite that status, are also Turkish citizens. He noted the challenges associated with re-opening Halki Seminary but recognized the value in making progress on this issue. End summary.

[1](#)2. (C) In a July 20 meeting, Istanbul Deputy Governor for minority affairs Fikret Kasapoglu told us the Yargitay's June 26 rejection of the ecumenicity of the Greek Orthodox patriarchate (ref A) was merely "a comment that can be commented on" and did not represent an enforceable ruling. He further described it as a statement concerning an issue that is related to a legal case. The official GOT policy on this issue -- not to recognize the ecumenicity of the patriarchate -- is determined by the MFA (and therefore not by the Yargitay), Kasapoglu explained. He admitted that depending on the results of the July 22 election, a new government could take a different approach on this issue because of the Yargitay's statement. Recognizing that other countries supported the ecumenical status of the patriarchate, while the GOT does not, Kasapoglu lamented "we haven't found a path in between that can lead to a solution."

[1](#)3. (C) Responding to praise for the extra security support the Governor provided to the Ecumenical Patriarchate during its July 7-10 Holy Synod meeting (ref B), Kasapoglu emphasized it was the government's duty to protect Greek Orthodox community members, who despite being classified as minorities in the 1923 Lausanne Treaty, were still Turkish citizens. He noted that there had been tensions between Greece and Turkey in the past but that since the beginning of the EU accession process, relations had improved. Members of the Greek community were integrated in society and were free in the conduct of their religious services, Kasapoglu declared.

[1](#)4. (C) Regarding Greek minority foundation properties, Kasapoglu described Governorship efforts to find alternative purposes for schools and other buildings that have fallen out of use due to dwindling community membership. The foundations would maintain ownership of the properties and be

able to collect rent from the associated leases, he stressed.

(Note: the Law on Foundations would otherwise dictate that the government confiscate these properties. End note.)

15. (C) Addressing concerns that the Yargitay statement could affect potential progress on re-opening Halki Seminary, Kasapoglu posited that the challenge with re-opening the seminary was that the patriarchate wants it re-opened under the same status as in the past. He shared the government's concern that allowing a minority community to open its own, post-secondary religious school challenges secular principals in the Constitution and would run counter to laws governing the Higher Board of Education's (YOK) mandate as well as set a precedent for private Muslim religious schools the GOT desperately wants to avoid. Still, Kasapoglu agreed that re-opening Halki Seminary would have value as a potential outreach initiative to change negative perceptions -- held by some without first-hand knowledge -- of Turkey's treatment of its minorities.

16. (C) Comment. Kasapoglu's interpretation of the Yargitay's "commentary" is promising as long as future governments choose to view it in the same manner. Despite its official policy not to recognize the ecumenicity of the patriarchate, the current administration has chosen not to comment on the patriarchate's 2004 appointment of six non-Turkish citizens to its Holy Synod, signaling perhaps, its intended response should a non-Turkish citizen be elected the next patriarch. At the same time, it is telling that even the most progressive GOT officials such as Kasapoglu, in the same breath, will recognize minorities as Turkish citizens and then refer to the associated policies of the MFA and the need for reciprocity with Muslims in Greece. We will remain alert for post-July 22 election government signals concerning policy regarding the ecumenicity of the

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patriarchate while continuing to encourage progress on re-opening Halki Seminary. End comment.
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